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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR08-380-RSL  
10 v. )  
11 MICHAEL WALTER ROOT, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on April 26, 2012. The United States was represented by AUSA Norman Barbosa for Bruce  
16 Miyake and the defendant by Terrence Kellogg. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 10, 2009 by the Honorable Robert S.  
18 Lasnik on a charge of Bank Robbery, and sentenced to 44 months custody, three years  
19 supervised release.

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant participate in a substance abuse program, abstain from alcohol,  
22 submit to search, participate in a mental health program, pay restitution in the amount of

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01 \$7,170.00, provide his probation officer with financial information as requested, maintain a  
02 single checking account for all financial transactions, be prohibited from incurring new credit  
03 obligations or opening new lines of credit, and be prohibited from employment for cash or  
04 self-employment or employment by persons known to defendant unless pre-approved by his  
05 probation officer. (Dkt. 57.)

06 The conditions of supervised release were modified on March 7, 2012 to require  
07 defendant to reside in a residential reentry center for up to 120 days. (Dkt. 59.)

08 In an application dated (Dkt. 60, 61), U.S. Probation Officer Christopher S. Luscher  
09 alleged the following violation of the conditions of supervised release:

10 1. Failing to satisfactorily participate in a residential reentry center program, on or  
11 about April 24, 2012, in violation of his special condition of supervised release.

12 Defendant was advised in full as to the charge and as to his constitutional rights.

13 Defendant admitted the violation and waived any evidentiary hearing as to whether it  
14 occurred.

15 I therefore recommend the Court find defendant violated his supervised release as  
16 alleged, and that the Court conduct a hearing limited to the issue of disposition. The  
17 disposition hearing will be set before Judge Lasnik.

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01 Pending a final determination by the Court, defendant has been detained. A detention  
02 hearing is set for April 30, 2012.

03 DATED this 26th day of April, 2012.

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06 Mary Alice Theiler  
United States Magistrate Judge

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09 cc: District Judge: Honorable Robert S. Lasnik  
AUSA: Norman Barbosa  
10 Defendant's attorney: Terrence Kellogg  
Probation officer: Christopher S. Luscher  
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